

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Director



June 20, 2002

Mr. Robert J. Waldrop, Vice President
ReUse Technology, Inc.
665 Molly Lane; Suite 100
Woodstock, Georgia 30189

Subject: Response to information and proposals submitted by Reuse Technology Inc in letters dated May 7 and May 22, 2002 for Swift Creek CCB Structural Fill site; Highway 301, Rocky Mount, Nash County, North Carolina.

Dear Mr. Waldrop:

The purpose of this letter is to respond to recent information and proposals submitted by Reuse Technology Inc. ("Reuse") intended to address issues raised in an Notice of Violation issued April 4 and subsequent meetings with the Solid Waste Section (Section)

It is important to reiterate that the Section's main concerns are the protection of the public health and the environment and in particular the installation of an unapproved pipe and the required vertical separation of coal ash from ground water, particularly in the drainage area. Accordingly, the Section continues to have two major concerns:

the potential for leachate from the structural fill to enter the pipe and subsequently discharge to surface waters, and

the potential for ground-water contamination due to the placement of coal ash within one-foot of ground water, particularly in the drainage area

In general, the meetings and recent information submitted by Reuse have confirmed the Section's belief that Reuse did not construct the structural fill in accordance with the approved plans and that Reuse does not have adequate and accurate information regarding the placement of structural fill, in particular the installation of the pipe and its relationship to the ground water and the drainage area.

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In fact, if the most recent May 22, 2002 submittal is accurate, the pipe is not located in the drainage area, as indicated on the original submittal dated December 10, 2001 and has been installed north of the drainage area. This "new" information raises further concerns regarding the credibility of the information submitted and further complicates the situation by creating another area of concern- the area where the pipe was actually installed. Questions concerning the installation of the pipe, including excavation and bedding information and the resultant separation from ground water and coal ash in the area of the pipe must now be addressed.

The Section will specifically address the letters submitted to the Section concerning the management of surface water, letter dated May 7, 2002, and the investigation of groundwater at the site relative to the 24" reinforced concrete pipe installed in the past, letter dated May 22, 2002.

May 7, 2002 submittal

- A. The Section agrees with the proposed routing to the North and East for the re-routing of surface water away from and under the existing coal ash site;
- B. The use of a flowable fill for the plugging of the existing pipe is agreeable;
- C. The new 30" reinforced concrete pipe(rcp) shall not be installed within the limits of coal ash placed at the site. It would be preferred that the entire length of the 30" rcp be placed within the right-of-way of Highway 301(possibly along the same orientation and location as the existing 18" rcp) to facilitate repairs, if necessary, in the future that would not require disturbing the in-place coal ash by future landowner(s);
- D. Coal ash shall not be used to bed the 30" rcp and that as-built conditions of the 30" rcp pipe installation shall be documented to address overall length of pipe installed and the location of the discharge point;
- E. All sedimentation and erosion control devices and activities shall be consistent with the Sedimentation Pollution Control Law 15A NCAC 4B

May 22, 2002 submittal

- A. The Section agrees with the proposed methodology in paragraph two of Reuse's May 22 letter on identifying the construction and placement of the existing 24" rcp;

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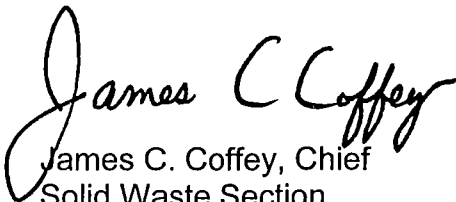
- B. However, based on the May 19, 2002 drawing, it will now be necessary to delineate **two** areas with this methodology: the original drainage area and the area in which the pipe was placed. Also, multiple locations along both the drainage feature and the pipe will be necessary to provide an adequate profile.
- C. Notification shall be made to the Section with a date to perform the above mentioned activities to allow the Section to schedule a representative to be on-site during the investigation of the 24" rcp construction verification and the drainage feature exploration.

The Section continues to believe that the installation of one or more shallow monitoring well(s) seems a protective as well as practical approach.

Once the issues and items from this letter are presented to the Section for review; a future determination will be made on the course of action to be taken at the site. The Solid Waste Section reserves the right to request any additional information following the review of the information provided by ReUse Technology.

If you have any questions, or would like to schedule a meeting to discuss this letter, please contact me at (919)733-0692, Ext. 256.

Sincerely,



James C. Coffey, Chief
Solid Waste Section
Division of Waste Management

cc: Dexter Matthews
Bill Hocutt
Mark Fry
Jim Barber
Ben Barnes